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13 CENTEX HOMES

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 CENTEX HOMES, a Nevada general
17 partnership,

18 Plaintiff,

19 v.

20 FINANCIAL PACIFIC INSURANCE
COMPANY, a California Corporation;
21 EVEREST NATIONAL INSURANCE
COMPANY, a Delaware Corporation; ST.
PAUL FIRE AND MARINE
22 INSURANCE COMPANY, a Connecticut
Corporation; ARCH SPECIALTY
23 INSURANCE COMPANY, a Nebraska
Corporation; INTERSTATE FIRE &
24 CASUALTY COMPANY, an Illinois
Corporation; LEXINGTON INSURANCE
25 COMPANY, a Delaware Corporation;
NAVIGATORS SPECIALTY
26 INSURANCE COMPANY, a New York
Corporation; FEDERAL INSURANCE
27 COMPANY, an Indiana Corporation;
FIRST MERCURY INSURANCE
28 COMPANY, an Illinois Corporation;
FIRST SPECIALTY INSURANCE

Case No. 2:19-cv-01284-JCM-VCF

**JOINT MOTION OF THE PARTIES
FOR AN ORDER EXTENDING THE
TIME FOR DEFENDANT ARCH
SPECIALTY INSURANCE
COMPANY TO ANSWER
PLAINTIFF'S COMPLAINT**

LR IA 6-1

CORPORATION, a Missouri Corporation;
AXIS SURPLUS INSURANCE
COMPANY, an Illinois Corporation,

Defendant.

Pursuant to Local Rules 6-1, plaintiff Centex Homes (“Plaintiff”), and defendant Arch Specialty Insurance Company (“Arch”), (Plaintiff and Arch shall be referred to jointly as “the Parties”), through their counsel of record, submit this Joint Motion for an order extending the time for Arch Specialty Insurance Company to answer Plaintiff’s complaint. This is the first stipulation for extension of time to answer Plaintiff’s complaint.

Plaintiff filed its lawsuit on July 25, 2019 and served Arch through the Nevada Secretary of State through its agent for service of process on October 17, 2019. Arch’s answer would have been due on November 6, 2019. However, Arch only recently engaged the law firm of Wilson, Elser, Moskowitz, Edelman, & Dicker LLP to defend it in this action. Thus, counsel of record for Arch requires additional time to review the file in order to prepare a proper answer to the complaint. Defense counsel believes that the answer will be filed long before the requested due date, but in an abundance of caution, requests an additional 30 days up to and including December 6, 2019 to file an answer to Plaintiff’s complaint.

Dated: November 5, 2019

PAYNE & FEARS

By: /s/ Sarah Odiq
Attorneys for Plaintiff
Centex Homes

Dated: November 5, 2019


**WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP**

By: /s/ John Podesta
Attorneys for Defendant
Arch Specialty Insurance Company

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IT IS SO ORDERED that Arch's answer to plaintiff's complaint is due December 6, 2019.

Dated: November 6, 2019



United States Magistrate Judge

1 **CERTIFICATE OF SERVICE**

2 *Centex Homes v Financial Pacific Insurance Company, et al*
3 *USDC District of Nevada Case No. 2:19-cv-01284-JCM-VCF*

4 I, the undersigned, declare as follows: I am employed in the County of San Francisco, State
5 of California. My business address is Wilson, Elser, Moskowitz, Edelman & Dicker, LLP, 525
6 Market Street, 17th Floor, San Francisco, CA 94105. I am over eighteen years old and not a party to
7 this action.

8 On the date set forth below, I served the following document(s) described as:

9 **JOINT MOTION OF THE PARTIES FOR AN ORDER EXTENDING THE**
10 **TIME FOR DEFENDANT ARCH SPECIALTY TO ANSWER PLAINTIFF'S**
11 **COMPLAINT**

- 12 ☐: **PERSONAL SERVICE** - I served the documents by placing them in an envelope or
13 package addressed to the persons at the addresses listed below, and providing them to a
14 professional messenger service for service. (A confirmation by the messenger will be
15 provided to our office after the documents have been delivered.)
- 16 ☐: **BY MAIL** - As follows: I am "readily familiar" with the firm's practice of collection and
17 processing correspondence for mailing. Under that practice it would be deposited with the
18 U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco,
19 California in the ordinary course of business. The envelope was sealed and placed for
20 collection and mailing on this date following our ordinary practices. I am aware that on
21 motion of the party served, service is presumed invalid if postal cancellation date or postage
22 meter date is more than one day after date of deposit for mailing in affidavit.
- 23 ☒: **BY ELECTRONIC TRANSMISSION** – By causing the document(s) listed above to be
24 electronically filed and served on designated recipients through the Electronic Case Filing
25 system for the above-entitled case. The file transmission was reported as successful and a
26 copy of the Electronic Case Filing Receipt will be maintained with the original document(s)
27 in our office.

28 I declare under penalty of perjury under the laws of the State of California that the foregoing
is true and correct. Executed November 5, 2019 , at San Francisco, California.

21 
22 _____
23 Marilee Barlow